

### **REMARKS**

Claims 1 – 6, 17 and 18 are now pending in the application, claims 7 – 16 having been withdrawn and claims 19 – 45 having been cancelled without prejudice to prosecuting them in a divisional application. Since claims 7 – 16 depend, directly or indirectly from claim 1 that is presently being prosecuted, applicant has not canceled them but retained them as being withdrawn. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 102**

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by 3COM (a collection of articles found on PTO 892). Applicant respectfully traverses this rejection.

The Examiner cites 3COM as disclosing all the limitations of claim 1 including the limitation that requires “serving electronic shopping cart transfer instruction to the customer browser that causes the customer browser to request service from a checkout line of a second site and that automatically transfers the contents of the electronic shopping cart to the checkout line of the second site.” Applicant respectfully submits that while 3COM does disclose transferring the contents of the electronic shopping cart to a second site, it does not disclose transferring the contents of the electronic shopping cart to the checkout line of the second site, as required by claim 1. As stated in the 3COM articles:

Customers now can fill an online shopping cart at 3Com's site and transfer that information automatically to a channel partner of their choice. Previously, customers needed to re-enter product information once they had connected to the partner's site.

"With XML, we are able to move over information about that user, plus information about the products that user [sic – the] is interested in purchasing, and the reseller can respond about what is in their shopping cart and all of the products they want to buy, showing price and availability." ["3Com paves the way for resellers," p. 2]

The online shopper or merchant can interact and discover comparative information from within an E-commerce site or while visiting the priceWonders.com comparison Web site.

DDGML <sup>TM</sup> streamlines a consumer's E-commerce research to just one mouse click. It instantly compares product information on an E-commerce site with that of other E-commerce sites selling the same product. Information that supports which online store is the shopper's best deal. ["Patent Filed for DDGML, eWonder's Educated E-commerce Tool," p. 2]

In this regard, applicant submits that what 3COM discloses is comparable to the prior art discussed in the background section of the present application. As such, 3COM presents the same problems as the prior art discussed in the background section of the application that may result in lost sales to the manufacturer. That is, when a consumer is transferred to a shopping area of the second site, such as a retail site, the consumer may become distracted and thus fail to purchase the product or engage in comparative shopping and possibly purchase a competing product. The invention as claimed in claim 1 addresses this problem by transferring the contents of a shopping cart that was filled on a first site, such as a manufacturer's site, to the checkout line of the second site, such as the retail site. Applicant submits that claim 1 is thus allowable over 3COM.

**REJECTION UNDER 35 U.S.C. § 103**

Claims 2 – 6, 17 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over 3COM in view of the Official Notice. These claims all depend, directly or indirectly, from claim 1 and are allowable for at least this reason.

**CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: July 27, 2005

By: R.A. Fuller III  
Roland A. Fuller III  
Reg. No. 31,160

HARNES, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

RAF/akb

### **AMENDMENTS TO THE DRAWINGS**

The attached "Replacement Sheets" of drawings include changes to Figure 2 to simplify the storyboard diagrams of Figure 2, to Figure 6 to correct the second dotted line extending from the Retailers' to the Product Information Return box so that it extends from the Retailer 2 site as opposed to the Retailer 3 site, as well as correcting all the Figures to address the objections listed in Notice of Draftperson's Patent Drawing Review. The attached "Replacement Sheets," which include Figures 1 - 7, replace the original sheets including Figures 1 - 7.